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\$1635  
USSN: 09/475,704  
PP001631.0002  
2300-1631  
PATENT

**CERTIFICATE OF MAILING PURSUANT TO 37 CFR § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 16, 2005.

6/16/05  
Date

Michelle Hobson  
Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

BARNETT et al.

Serial No.: 09/475,704

Filing Date: December 30, 1999

Title: POLYNUCLEOTIDES ENCODING  
ANTIGENIC HIV TYPE C POLYPEPTIDE,  
POLYPEPTIDES AND USES THEREOF

Examiner: B. Whiteman

Group Art Unit: 1635

Confirmation No.: 6738

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

06/21/2005 SHASSEN1 00000013 09475704  
01 FC:1806 180.00 OP

Dear Sirs:

Attached is an Information Disclosure Statement and accompanying Form  
PTO/SB/08A for the above-identified patent application.

- ☐ In accordance with 37 C.F.R. §1.97(b), no additional fee for submission of the IDS is required.
- ☒ In accordance with 37 C.F.R. §1.97(c), also enclosed is:
- ☒ the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p); or
- ☐ a statement as specified in 37 C.F.R. §1.97(e).
- ☐ In accordance with 37 C.F.R. §1.97(d), a statement as specified in 37 C.F.R. § 1.97(e) and the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) are also enclosed.

☒ Check in the amount of \$180.00 for the total fee is attached.


☒ A return receipt postcard is also enclosed.

☐ Please charge \$\_\_\_\_\_ to Deposit Account No. 18-1648 for the total fee.  
This paper is being submitted in duplicate.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: June 16, 2005

By:   
Dahna S. Pasternak  
Registration No. 41,411

CHIRON CORPORATION  
Intellectual Property – R440  
P.O. Box 8097  
Emeryville, CA 94662-8097  
Telephone: 650-493-3400  
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**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.97(c)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sirs:

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,  
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.  
§§1.97 and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- ☐ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. \_\_\_ to which the above-identified application claims priority under 35 U.S.C. §120.

- ☐ Publication(s) \_\_\_\_\_ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to \_\_\_ application serial no. \_\_\_\_\_ and mailed on \_\_\_\_\_.
- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. English language publication \_\_\_\_ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed is an explanation of non-English publication(s) \_\_\_\_\_ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) \_\_\_\_\_ cited in the attached Form PTO/SB/08A.
- ☐ Enclosed is a copy of pending patent Application Serial No. \_\_\_\_\_.

This Information Disclosure Statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing of:

- ☒ a final action under 37 C.F.R. § 1.113;
- ☐ a notice of allowance under 37 C.F.R. § 1.113; or
- ☐ an action that otherwise closes prosecution in this application.

In accordance with 37 C.F.R. § 1.97(c) also enclosed is:

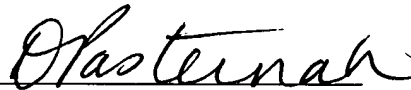
- ☒ Fee under 37 C.F.R. § 1.17(p) in the amount of \$180.00; or
- ☐ Statement as specified in 37 C.F.R. § 1.97(e):
  - ☐ Each item of information contained in the Information Disclosure Statement cited herein was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
  - ☐ No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, having made a reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.

This Information Disclosure Statement under 37 CFR § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

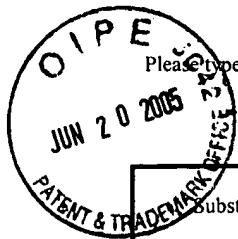
It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Respectfully submitted,

Date: June 16, 2005

By:   
Dahna S. Pasternak  
Registration No. 41,411

CHIRON CORPORATION  
Intellectual Property – R440  
P.O. Box 8097  
Emeryville, CA 94662-8097  
Telephone: 650-493-3400  
Facsimile: 650-493-3440



Please type a plus sign (+) inside this box →



PTO/SB/08A (08-00)

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>		
				<b>Application Number</b>	09/475,704	
<b>Filing Date</b>		December 30, 1999				
<b>First Named Inventor</b>		BARNETT et al.				
<b>Group Art Unit</b>		1635				
<b>Examiner Name</b>		B. Whiteman				
<b>Attorney Docket Number</b>		PP001631.0002				
Sheet	1	of	1			

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
	B1	WO	03/004620	A2	Chiron Corporation	01-16-2003	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	C1	Haas et al., "CYTOTOXIN T-CELL RESPONSES TO HIV-1 REVERSE TRANSCRIPTASE, INTEGRASE AND PROTEASE," AIDS, 12:1427-1436 (1998).	
	C2	Hamajima, et al., "THE COMBINATION OF DNA AND PEPTIDE VACCINES INDUCES STRONG IMMUNITIES AGAINST HIV-1 IN BOTH HUMORAL AND CMI," 11 <sup>TH</sup> International AIDS Conference, Vancouver, British Columbia, July 7-12; 11:6 (abstract no. Mo.A.151) (1996).	
	C3	Kent, et al., "A RECOMBINANT AVIPOXVIRUS HIV-1 VACCINE EXPRESSING INTERFERON-GAMMA IS SAFE AND IMMUNOGENIC IN MACAQUES," Vaccine 18:2250-2256 (2000).	
	C4	Williamson, et al., "DESIGNING HIV-1 SUBTYPE C VACCINES FOR SOUTH AFRICA," South African Journal of Science, 96:318-324 (2000).	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number.

<sup>2</sup> See attached Kinds of U.S. Patent Documents.

<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

<sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.